

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KEVIN THERIOT,

Plaintiff,

v.

CASE NO. 5:12-CV-11629
HONORABLE JOHN CORBETT O'MEARA

DURANO, et al.,

Defendants.

ORDER DENYING MOTIONS FOR NEW TRIAL AND NOTICE TO COURT

Michigan prisoner Kevin Theriot ("Plaintiff") filed a *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983, which the Court dismissed for failure to state a claim upon which relief may be granted on June 5, 2012. The Court has since denied Plaintiff's motions for default judgment and expedited consideration. Given that the Court has dismissed the complaint, any requests by Plaintiff for service upon defendants or entry of judgment in his favor lack merit and/or have been rendered moot. To the extent that Plaintiff seeks reconsideration of the Court's dismissal of his complaint, he is also not entitled to relief. The Court finds no reason to reconsider its decision. A motion for reconsideration which presents issues already ruled upon by the court, either expressly or by reasonable implication, will not be granted. *See Hence v. Smith*, 49 F. Supp. 2d 547, 550 (E.D. Mich. 1999); *Czajkowski v. Tindall & Assoc., P.C.*, 967 F. Supp. 951, 952 (E.D. Mich. 1997). Plaintiff has not met his burden of showing a palpable defect by which the Court has been misled or his burden of showing that a different disposition must result from a correction thereof as required by Local Rule 7.1(h)(3). Accordingly, the Court **DENIES** Plaintiff's motions [Dkt. #22 and #23].

This case is closed. No further pleadings should be filed in this matter.

IT IS SO ORDERED.

s/John Corbett O'Meara
United States District Judge

Date: June 19, 2012

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, June 19, 2012, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager